

LAW OF THE REPUBLIC OF INDONESIA
NUMBER 18 OF 2012
ON
FOOD

BY THE BLESSINGS OF ALMIGHTY GOD

PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that Food is the most essential human need and its fulfillment is a part of human rights that is guaranteed in the 1945 Constitution of the Republic of Indonesia as a basic component in creating quality human resources;
 - b. that the state is responsible for realizing the availability, affordability and fulfillment of Food consumption that is sufficient, safe, wholesome and nutritionally balanced both on the national and local levels to individual equally in the entire territory of the Republic of Indonesia at all time utilizing local resources, institution and culture;
 - c. that as a state with large population and on the other hand has various natural resources and Food sources, Indonesia can fulfill Food demand in a sovereign and independent manner;
 - d. that Law Number 7 of 1996 on Food is no longer in line with the external and internal dynamic development conditions, democratization, decentralization, globalization, law enforcement and several legislations produced, so it is necessary to be replaced;

- e. that based on the considerations as referred to in point a, point b, point c, and point d, it is necessary to establish a Law on Food;

Observing : Article 20, Article 21, Article 28A and Article 28C section (1) of the 1945 Constitution of the Republic of Indonesia;

With the Joint Approval of:
THE HOUSE OF REPRESENTATIVES
and
THE PRESIDENT OF THE REPUBLIC OF INDONESIA

HAS DECIDED:

To enact : LAW ON FOOD.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Law:

1. Food means any substance originating from biological sources product of agriculture, plantation, forestry, fishery, livestock, waterworks and water sources, both processed and unprocessed, designated as food or beverage for human consumption, including food additives, food raw materials and other materials used in the process of preparing, processing and/or producing food or beverage.
2. Food Sovereignty means the right of the state and nation that independently establish Food policy that guarantees the right on Food for the people and grants the right for the society to establish Food system that is appropriate with the local potential resources.
3. Food Self-Sufficiency means the ability of the state and nation in producing various Food domestically that can guarantee the fulfillment of sufficient Food demand that reach individual levels of using potential natural, human, social, economic resources and local wisdom with dignity.

4. Food Security means a condition in which a country food demand is sufficiently fulfilled towards individual level, reflected from the availability of adequate food in quantity and quality, safe, diverse, nutritious, evenly, affordable, do not confront religious norm, beliefs, and culture of the society in managing healthy, active and productive life in a sustainable manner.
5. Food Safety means a condition and effort that is required to prevent Food from biological, chemical and physical contaminant that can interfere, harm, and endanger the human health as well as not conflicting with religion, belief and culture of the society therefore safe for consumption.
6. Food production means the activity or process to produce, prepare, process, make, preserve, package, repackage and/or change the form of the food.
7. Food Availability means Food is available from domestic production and National Food Reserves as well as importation if both main sources unable to fulfill demand.
8. National Food Reserves means Food supply in entire territory of the Republic of Indonesia for human consumption and to face problem of Food shortages, disruptions of supply and price, as well as emergency situation.
9. Government Food Reserves means the Food supply owned and managed by the Government.
10. Provincial Government Food Reserves means the Food supply owned and managed by the provincial government.
11. Regency/Municipal Government Food Reserves means the Food supply owned and managed by the regency/municipal government.
12. Village Government Food Reserves means the Food supply owned and managed by the village government.
13. Community Food Reserves means the Food reserves owned and managed by the community on the merchant, community and household level.

14. Food Organization means planning, implementing and controlling activities in preparing affordability, fulfillment of Food consumption and nutrition, as well as Food Safety by public participation in a coordinated and integrated manner.
15. Staple Food means Food that is intended as the main daily food intake according to local potential resources and wisdom.
16. Food Diversification means an effort to increase the availability and consumption of diverse food, nutritionally balanced and based on local potential resources.
17. Local Food means food that is consumed by local community according to local potential and wisdom.
18. Fresh Food means unprocessed food that may be directly consumed and/or become a raw material for food processing.
19. Processed Food means food or beverage that is processed in a certain way or method with or without food additives.
20. Farmer means an Indonesian citizen, either individually or along with his or her family who does farming in the food sector.
21. Fisher means an Indonesian citizen, either individually or along with his or her family who catches fish for living.
22. Fish Farmer means an Indonesian citizen, either individually or along with his or her family who raises, breeds, and/or rears as well as harvests fish and other aquatic biological resources from a controlled environment for living.
23. Food Trade means any activity or a series of activities in the framework of sales and/or purchases of food, including any offer to sell Food, and other activities in connection with Food transfer for any repayment.
24. Food Export means releasing Food to other countries or places for sale, exchange from customs territory of the Republic of Indonesia that includes territory of land, waters and air space above it, specific places in the Exclusive Economic Zone and continental shelf.

25. Food Import means entering Food from a foreign or external source to customs territory of the Republic of Indonesia that includes territory of land, waters and air space above it, specific places in the Exclusive Economic Zone and continental shelf.
26. Food Distribution means any activity or a series of activities in the framework of distributing Food to people either for trade or non-trade purposes.
27. Food Aid means Staple Food or other Food supplied by the Government, Local Government, and/or community in addressing Food Problem and Food Crisis, increasing access to Food for the poor and/or people with Food and nutrition insecurity, and international cooperation.
28. Food Problem means a shortage, surplus and/or inability of individual or household in fulfilling Food need and Food Safety.
29. Food Crisis means a Food scarcity condition experienced by most community in the region caused by, difficulties in Food distribution, climate change, natural and environmental disaster, and social conflict, including war.
30. Food Sanitation means an effort to create and maintain healthy and hygienic Food condition that is free of physical, biological, and chemical contamination.
31. Sanitation Requirements means the standard hygiene and health that should be met to guarantee Food Sanitation.
32. Food Irradiation means the processing of food products by using radioactive substances or an accelerator to prevent spoilage and decomposition, to eliminate foodborne pathogens, and to inhibit the germination of root crops.
33. Genetically Engineered Food means a process that involves the transfer of genes amongst either different or same biological entities to obtain a new type that is able to produce superior Food products.
34. Genetically Engineered Food Product means Food that is produced or uses raw materials, additives, and/or other materials that are produced from a genetic engineering process.

35. Food Packaging means any materials used to package and/or wrap Food, either directly or indirectly contact with Food.
36. Food Quality means the value determined based on the criteria of Food safety, and nutrition content.
37. Nutrition means any substances or chemical compounds found in food, consisting of carbohydrate, protein, fat, vitamin, mineral, dietary fiber, water, and other components that are useful for human growth and health.
38. Any Person means any individual or a business entity, either in the form of a legal entity or otherwise.
39. Food Business Operator means Any Person that is engaged in one or more Food agribusiness subsystems, including supplier of production input, production process, processing, marketing, trading and supporting.
40. Central Government, hereinafter referred to as the Government, means the President of the Republic of Indonesia which holds the power of Government of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.
41. Local Government means governor, regent or mayor, and local institution as elements of local governance.

CHAPTER II

PRINCIPLES, OBJECTIVES, AND SCOPE OF REGULATION

Article 2

Food Organization is implemented based on the principles of:

- a. sovereignty;
- b. self-sufficiency;
- c. security;
- d. safety;
- e. benefit;
- f. equality;
- g. sustainability; and
- h. equity.

Article 3

Food Organization is implemented to fulfill human's basic needs that benefit equitably, prevalent and sustainable based on Food Sovereignty, Food Self-Sufficiency and Food Security.

Article 4

Food Organization aims to:

- a. increase capacity of Food production independently;
- b. provide diverse Food and comply with safety, quality and nutrition requirements for consumption;
- c. achieve Food sufficiency level, especially Staple Food with reasonable and affordable prices according to public needs;
- d. facilitate or improve Food access for the people, especially for people with Food and Nutrition insecurity;
- e. increase added value and competitiveness of Food commodity in domestic and foreign market;
- f. increase knowledge and awareness of the people concerning Food safety, quality and nutritious Food for public consumption;
- g. improve welfare for Farmers, Fishers, Fish Farmers and Food Business Operators; and
- h. protect and develop the national Food resources.

Article 5

Scope of implementation of Food Organization includes;

- a. Food planning;
- b. Food availability;
- c. Food affordability;
- d. consumption of Food and Nutrition;
- e. Food Safety;
- f. Food label and advertisement;
- g. control;
- h. Food information system;
- i. Food research and development;
- j. Food institution;
- k. public participation; and
- l. investigation.

CHAPTER III
PLANNING

Article 6

Food planning is implemented to develop Food Organization towards Food Sovereignty, Food Self-Sufficiency and Food Security.

Article 7

Food planning must observe:

- a. population growth and distribution;
- b. Food and Nutrition consumption needs;
- c. carrying capacity of natural resources, technology and environmental sustainability;
- d. human resources development in Food Organization;
- e. means and infrastructure need for Food Organization;
- f. local culture and Food potential;
- g. regional spatial planning; and
- h. national and regional development plan.

Article 8

- (1) Food planning must be integrated into national and regional development plan.
- (2) The Food planning as referred to in section (1) is implemented by the Government and/or Local Government with involvement of public participation.
- (3) The Food Planning as referred to in section (2) is organized at the national, provincial and regency/municipal level.
- (4) Food planning is determined in the long-term development plan, medium-term development plan and annual work plan on the national, provincial and regency/municipal level in accordance with the provisions of legislation.

Article 9

- (1) Food planning at the national level is implemented with regard to national development plan as well as provincial necessity and proposal.
- (2) Food planning at the provincial level is implemented with regard to provincial development plan and with regard to regency/municipal necessity and proposal and implemented based on national Food plan.
- (3) Food planning at the regency/municipal level is implemented with regard to regency/municipal development plan and provincial Food plan as well as implemented based on national Food plan.

Article 10

- (1) Food planning is implemented in Food plan.
- (2) The Food plan as referred to in section (1) consists of:
 - a. national Food plan;
 - b. provincial Food plan; and
 - c. regency/municipal Food plan.
- (3) The Food plan as referred to in section (2) is determined by the President, governor or regent/mayor in accordance with the provisions of legislation.

Article 11

National Food Plan at least contains:

- a. public Food consumption needs and Nutritional status;
- b. Food Production;
- c. Food Reserves especially Staple Food;
- d. Food Export;
- e. Food Import;
- f. Food Diversification;
- g. distribution, trade and marketing of Food, especially Staple Food;
- h. stabilization of Staple Food supplies and prices;
- i. Food Safety;
- j. Food research and development;

- k. necessity and dissemination of knowledge and technology in the Food sector;
- l. Food institution; and
- m. income levels of Farmers, Fishers, Fish Farmers and Food Business Operators.

CHAPTER IV
FOOD AVAILABILITY

Part One
General

Article 12

- (1) The Government and Local Government are responsible for Food Availability.
- (2) The Government and Local Government are responsible for Food Availability and development of Local Food Production in the region.
- (3) In order to fulfill Food Availability through development of Local Food, the Local Government determines the type of local Food.
- (4) Provision of Food is implemented to fulfill community, household and individual Food consumption and need in a sustainable manner.
- (5) In order to fulfill Food Availability through national Food Production, it is implemented by:
 - a. developing Food Production based on local resources, institutions and culture;
 - b. developing efficient Food business systems;
 - c. developing means, infrastructures and technologies for production, post-harvest handling, processing and storing of Food;
 - d. constructing, rehabilitating and developing Food Production infrastructure;
 - e. maintaining and developing productive land; and
 - f. building regions for Food Production centers.
- (6) The Government determines Local Food Production centers according to Local Government proposal.

Article 13

The Government is responsible for managing stability of Staple Food supply and price, managing Government Staple Food reserves and Staple Food distribution to achieve sufficient Staple Food that is safe and nutritious for people.

Article 14

- (1) Food supply sources originate from domestic Food Production and National Food Reserves.
- (2) In the event that the Food supply sources as referred to in section (1) are not sufficient, Food can be fulfilled through Food Import according to the needs.

Article 15

- (1) The Government prioritizes domestic Food Production to meet the need of Food consumption.
- (2) In the event that Food Availability for consumption and Food Reserves are fulfilled, excess in domestic Food Production can be used for other purposes.

Part Two

Domestic Food Production

Paragraph 1

Food Production Potential

Article 16

- (1) The Government, Local Government and the people develop Food Production potential.
- (2) The development of potential Food Production as referred to in section (1) is implemented by using:
 - a. human resources;
 - b. natural resources;
 - c. financial resources;
 - d. science and technology;
 - e. Food means and infrastructures; and
 - f. Food institution.

Article 17

The Government and Local Government are responsible for protecting and empowering Farmers, Fishers, Fish Farmers and Food Business Operators as Food producers.

Article 18

The Government and Local Government in fulfilling Food needs are responsible for:

- a. managing, developing and allocating farmland and water resources;
- b. providing counseling and mentoring;
- c. eliminating various policies that have impacts on the competitiveness decline; and
- d. performing budget allocation.

Article 19

The Government and Local Government are responsible for developing and disseminating knowledge and technology to increase Food Production.

Article 20

The Government and Local Government facilitate the use and development of means and infrastructures in the efforts to increase Food Production.

Article 21

The Government and Local Government develop community Food Institution to increase Food Production.

Paragraph 2

Food Production Threat

Article 22

- (1) Food Production Threat is an event that can lead to failure of Food Production caused by:
 - a. climate change;
 - b. invasion of plant pests as well as outbreak of animal and fish diseases;

- c. natural disaster;
 - d. social disaster;
 - e. environmental pollution;
 - f. degradation of land and water resources;
 - g. utilization competition of Food Production resources;
 - h. function shift of land use; and
 - i. economic disincentive.
- (2) The Government and Local Government are responsible for anticipating and overcoming with Food Production threat as referred to in section (1) through the aid of technology and regulation.

Part Three

National Food Reserves

Paragraph 1

General

Article 23

- (1) In realizing Food Sovereignty, Food Self-Sufficiency and Food Security, the Government determines National Food Reserves.
- (2) The National Food Reserves consist of:
- a. Government Food Reserves;
 - b. Local Government Food Reserves; and
 - c. Community Food Reserves.

Article 24

The National Food Reserves as referred to in Article 23 is implemented to anticipate:

- a. Food Availability shortage;
- b. Food Availability surplus;
- c. Food price volatility; and/or
- d. emergency situation.

Article 25

National Food Reserves can be utilized for international cooperation and foreign Food Aid.

Article 26

The Government may develop partnership with Food Business Operators, universities and community in developing National Food Reserve.

Paragraph 2

Government Food Reserves

Article 27

- (1) In realizing the National Food Reserves as referred to in Article 23 section (1), the Government determines Government Food Reserves and Local Government Food Reserves.
- (2) The Government Food Reserves as referred to in section (1) is preferably sourced from domestic Food Production.
- (3) The Local Government Food Reserves as referred to in section (1) consists of:
 - a. Village Government Food Reserves;
 - b. Regency/Municipal Government Food Reserves; and
 - c. Provincial Government Food Reserves.

Article 28

- (1) The Government determines the type and quantity of certain Staple Food as Government Food Reserves.
- (2) The Government Food Reserves as referred to in section (1) is determined periodically by considering the level of necessity.
- (3) Procurement of Government Food Reserves is prioritized through purchasing of domestic Staple Food production, especially during harvest season.
- (4) Provisions regarding establishment of Government Food Reserves as referred to in section (1) and procurement of Government Food Reserves as referred to in section (3) are regulated by or under a Government Regulation.

Article 29

- (1) The provincial, regency/municipal and/or village government determine the type and quantity of certain Food reserves according to consumption need of local community.
- (2) The provincial government, regency/municipal government and village government Food Reserves as referred to in section (1) are sourced from domestic production.

Article 30

- (1) The Government organizes procurement, management and distribution of Government Food Reserves.
- (2) The procurement of Government Food Reserves as referred to in section (1) is implemented in a coordinated manner with regard to Village Government, Regency/Municipal Government and Provincial Government Food Reserves.

Article 31

- (1) Distribution of Government Food Reserves as referred to in Article 30 section (1) is implemented to overcome:
 - a. Food shortage;
 - b. Food price volatility;
 - c. natural disaster;
 - d. social disaster; and/or
 - e. emergency situation.
- (2) Distribution of Government Food Reserves is implemented with:
 - a. mechanism that is adjusted for regional and household condition; and
 - b. no harm to consumers and producers.
- (3) In certain matters as referred to in Article 24, the Government has the right to regulate distribution of Local Government Food Reserves.

Article 32

- (1) The Government assigns Government institutions which engaged in the Food sector to manage Government Food Reserves in accordance with the provisions of legislation.
- (2) The Government institutions as referred to in section (1) are supported by means, networks, and infrastructures nationally.
- (3) In the management of Food reserves, the Local Government may appoint local institutions and/or cooperate with the Government institutions as referred to in section (1)

Paragraph 3

Community Food Reserves

Article 33

- (1) The public has the right and vast opportunity to achieve Community Food Reserves.
- (2) The Government and Local Government facilitate development of Community Food Reserves according to local wisdom.

Part Four

Food Export

Article 34

- (1) Food Export can be implemented with regard to domestic Food consumption needs and national interest.
- (2) Exporting Staple Food is only allowed after fulfilling National Food Reserves and Staple Food consumption needs.

Article 35

- (1) Any Person who exports Food is responsible for Food safety, quality and Nutrition required by destination country.
- (2) The Food Export as referred to in section (1) is implemented in accordance with the provisions of legislation.

Part Five
Food Import

Article 36

- (1) Food Import is only allowed if domestic Food Production is insufficient and/or unable to be produced domestically.
- (2) Importing Staple Food is only allowed to be implemented if domestic Food Production and National Food Reserves are insufficient
- (3) Sufficiency of domestic Staple Food Production and Government Food Reserves are determined by minister or government institution administering government affairs in the Food sector.

Article 37

- (1) Food Import implemented to fulfill domestic consumption necessity must fulfill the requirement of safety, quality, nutrition and not in conflict with religion, belief or culture.
- (2) Provisions regarding requirements as referred to in section (1) are regulated by or under a Government Regulation.

Article 38

Food Import is required to fulfill expiry limit and Food quality requirements.

Article 39

The Government establishes Food Import policy and regulation that do not negatively impact to sustainable farming, increased production, welfare of Farmers, Fishers, Fish Farmers and small and medium Food Business Operators.

Article 40

The Food Import as referred to in Article 36 to Article 39 is implemented in accordance with the provisions of legislation.

Part Six
Food Diversification

Article 41

Food Diversification is an effort to increase Food Availability that is diverse and based on local potential resources for:

- a. fulfilling Food consumption pattern that is diverse, nutritionally balanced and safe;
- b. developing food businesses; and/or
- c. improving public welfare.

Article 42

The Food Diversification as referred to in Article 41 is implemented through:

- a. setting rules for Food Diversification;
- b. optimizing Local Food;
- c. developing technology and incentive system for Local Food processing business;
- d. introducing new type of Food, including Local Food that has not been used;
- e. developing farm and fishery diversification;
- f. increasing the availability and access to seeds and seedlings of plant, livestock and fish;
- g. optimizing land utilization, including yard;
- h. strengthening micro, small and medium enterprises in the Food sector; and
- i. developing Food industry based on Local Food.

Article 43

Further provisions regarding Food Diversification as referred to in Article 41 and Article 42 are regulated by or under a Government Regulation.

Part Seven
Food Crisis

Article 44

- (1) The Government and Local Government are responsible for implementing measures to overcome Food Crisis.

- (2) The measures as referred to in section (1) can be in the form of:
 - a. procurement, management and distribution of Government or Local Government Food Reserves;
 - b. mobilization of Community Food Reserves within and between regions;
 - c. encouragement of public participation; and/or
 - d. implementation of technology to overcome Food Crisis and environmental pollution.

Article 45

- (1) Determination of Food Crisis criteria and status is performed by the Government and/or Local Government according to the crisis scale.
- (2) The determination as referred to in section (1) is performed by:
 - a. the President for national scale;
 - b. the Governor for provincial scale; and
 - c. the Regent/Mayor for Regency/Municipal scale.
- (3) Further provisions regarding determination of Food Crisis criteria and status as referred to in section (1) are regulated by or under a Government Regulation.

CHAPTER V

FOOD AFFORDABILITY

Part One

General

Article 46

- (1) The Government and Local Government are responsible for implementing Food affordability for the community, households and individuals.
- (2) In realizing the Food affordability as referred to in section (1), the Government and Local Government implement Government policies in the sector of:

- a. distribution;
- b. marketing;
- c. trade;
- d. Staple Food supply and price stabilization; and
- e. Food Aid.

Part Two
Food Distribution

Article 47

- (1) Food Distribution is performed to fulfill equal distribution of Food Availability in entire territory of the Republic of Indonesia in a sustainable manner.
- (2) The Food Distribution as referred to in section (1) is performed in order individuals can obtain Food in sufficient quantity, safe, wholesome, diverse, nutritious and affordable.
- (3) The Government and Local Government are responsible for Food distribution according to their respective authority.

Article 48

- (1) The Food Distribution as referred to in Article 47 is performed through:
 - a. development of Food distribution system that reaches the entire territory of the Republic of Indonesia in an efficient and effective manner;
 - b. management of Food distribution system that maintain security, quality, nutrition and not in conflict with religion, belief and culture; and
 - c. implementation of continuity and security in Food distribution.
- (2) Further provisions regarding Food distribution as referred to in section (1) are regulated by or under a Government Regulation.

Article 49

- (1) The Government and/or Local Government implement continuity in Food distribution by prioritizing effective and efficient transportation services in accordance with the provisions of legislation.
- (2) The Government and/or Local Government set prioritization for continuity in loading and unloading of Food product.
- (3) The Government and/or Local Government provide means and infrastructures for Food distribution, especially for Staple Food.
- (4) The Government and/or Local Government are responsible for developing institution for public Food distribution.

Part Three

Food Marketing

Article 50

- (1) The Government and/or Local Government are responsible for mentoring parties involved in Food marketing.
- (2) The mentoring as referred to in section (1) aims to every party to have the ability to implement good marketing practices.
- (3) The Government and/or Local Government conduct promotion to increase the use of Local Food products.
- (4) The Government and/or Local Government conduct promotions abroad to increase marketing of Food products.

Part Four

Food Trade

Article 51

- (1) The Government is responsible for regulating Food Trade.
- (2) The Food Trade regulation as referred to in section (1) aims for:

- a. stabilizing Food supply and price, especially Staple Food;
- b. Food reserve management; and
- c. creating good Food business climate.

Article 52

- (1) In the event of the Food Trade, the Government establishes mechanism, procedures for and maximum storage quantity of Staple Food by Food Business Operators.
- (2) Provisions regarding mechanism, procedures and maximum quantity as referred to in section (1) are regulated by or under a Government Regulation.

Article 53

Food Business Operators are prohibited from hoarding or storing Staple Food in excess of maximum quantity as referred to in Article 52.

Article 54

- (1) The Food Business Operators that violate the provision as referred to in Article 53 are subject to administrative sanctions.
- (2) The administrative sanctions as referred to in section (1) are in the form of:
 - a. fine;
 - b. temporary suspension of activity, production and/or distribution;
 - c. revocation of license.
- (3) Further provisions regarding type of, amount of fine, procedures for and mechanism of administrative sanction as referred to section (1) and section (2) are regulated in a Government Regulation.

Part Five
Staple Food Supply and Price Stabilization

Article 55

- (1) The Government is responsible for stabilizing supply and price of Staple Food at the producer and consumer level.
- (2) The stabilization of Staple Food supply and price as referred to in section (1) is performed to protect the income and purchasing power of Farmers, Fishers, Fish Farmers and small and medium Food Business Operators, as well as maintain affordability of Staple Food for consumers.

Article 56

The stabilization of Staple Food supply and price as referred to in Article 55 is conducted through:

- a. price-fixing at the level of producers as Government purchasing guidelines;
- b. price-fixing at the level of consumer as Government selling guidelines;
- c. management and maintenance of Government Food Reserves;
- d. provision and management of Food supply;
- e. establishing tax and/or tariff policy in favor of national interests;
- f. regulating continual distribution among regions; and/or
- g. regulating Food Export and Import.

Article 57

- (1) The Local Government may fix minimum price for Local Food that has not been established by the Government.
- (2) Minimum regional price fixing of Local Food as referred to in section (1) is regulated by Regional Regulations, Governor Regulations and/or Regent/Mayor Regulations.

Part Six
Food Aid

Article 58

- (1) The Government and Local Government are responsible to provide and distribute Staple Food and/or other Food according to necessity for the poor, people with Food and nutrition insecurity as well as for an emergency situation.
- (2) The Food Aid as referred to in section (1) is performed with emphasis on domestic production and local wisdom.

CHAPTER VI
NUTRITION AND FOOD CONSUMPTION

Part One
Food Consumption

Article 59

The Government and Local Government are responsible for increasing the quantity and quality of public Food consumption by:

- a. determining target figures for Food consumption per capita per year according to recommended dietary allowance;
- b. providing Food that is diverse, nutritionally-balanced, safe and not in conflict with religion, belief, and culture; and
- c. improving knowledge and ability of the people in Food consumption pattern that is diverse, nutritionally-balanced, wholesome and safe.

Part Two
Food Consumption Diversification

Article 60

- (1) The Government and Local Government are responsible for realizing Food consumption diversification to fulfill

people's nutritional needs and to support a healthy, active and productive life.

- (2) The Food consumption diversification as referred to in section (1) is directed to raise public awareness and to adapt Food consumption pattern that is diverse, nutritionally-balanced and safe as well as in accordance with local wisdom and potential.

Article 61

Food consumption diversification is conducted by:

- a. promoting Food consumption diversification;
- b. raising public awareness and knowledge for consuming diverse type of Food with Nutritionally-balanced principles;
- c. improving skills for the development of Local processed Food; and
- d. developing and disseminating appropriate technologies for Local Food processing.

Article 62

Achievement in Food consumption diversification as referred to in Article 60 is measured by achieving composition value of Food pattern and balanced Nutrition.

Part Three

Nutrition Improvement

Article 63

- (1) The Government establishes policy in the field of Nutrition for the improvement of the public Nutritional status.
- (2) The Government policy as referred to in section (1) is performed through:
 - a. establishing requirements for Nutrition improvement or enrichment of certain Food that is distributed in case of shortage or decline in public Nutritional status;

- b. establishing specific requirements on Food composition to improve Nutrition of certain Processed Food for trade;
 - c. fulfilling nutritional needs for pregnant women, lactating mothers, infants, toddlers and other nutrition insecure population; and
 - d. increasing Food consumption of products from local livestock, fishes, vegetables, fruits and tubers.
- (3) The Government and Local Government establish Food and Nutrition action plan every 5 (five) years.

Article 64

- (1) Any Person producing certain processed food for trade is required to apply Food processing procedures that are able to prevent Nutritional value decline or loss of Food raw materials.
- (2) Food processing procedures as referred to in section (1) is implemented gradually based on the type of Food as well as the business type and scale of Food Production.

Article 65

- (1) Any Person that violates the provision as referred to in Article 64 section (1) is subject to administrative sanctions.
- (2) The administrative sanctions as referred to in section (1) are in the form of:
- a. fine;
 - b. temporary suspension from activity, production and/or distribution;
 - c. recall of Food from market by producer;
 - d. compensation; and/or
 - e. revocation of license.
- (3) Further provisions regarding type of, amount of fine, procedures for and mechanism of administrative sanction as referred to in section (1) and section (2) are regulated in a Government Regulation.

Article 66

Provisions regarding composition, improvement requirements or enrichment of Nutrition and Food processing procedure area regulated by or based on a Government Regulation.

CHAPTER VII
FOOD SAFETY

Part One
General

Article 67

- (1) Food Safety is implemented to maintain Food to be safe, hygienic, wholesome, nutritious and not conflicting with religion, belief and culture.
- (2) The Food Safety is intended to prevent food from biological, chemical and physical contaminant that can interfere, harm and endanger human health.

Article 68

- (1) The Government and Local Government guarantee the implementation of Food Safety on every Food chain in an integrated manner.
- (2) The Government establishes the norm, standard, procedure for and criteria of Food Safety.
- (3) Farmers, Fishers, Fish Farmers and Food Business Operators are required to implement the norm, standard, procedure for and criteria on Food Safety as referred to in section (2).
- (4) Implementation of the norm, standard, procedure for and criteria on Food Safety as referred to in section (3) is performed gradually based on Food type and business scale.
- (5) The Government and/or Local Government are required to maintain and control the implementation of the norm, standard, procedure for and criteria on Food Safety as referred to in section (3) and section (4).

Article 69

Implementation of Food Safety is conducted through:

- a. Food Sanitation;
- b. control of Food additives;
- c. control of Genetically Engineered Food Products;
- d. control of Food Irradiation;
- e. establishment of Food Packaging standard;
- f. issuance of Food Quality and Safety assurance; and
- g. halal product assurance for those required.

Part Two

Food Sanitation

Article 70

- (1) Food Sanitation is implemented so that Food is safe for consumption.
- (2) Food Sanitation is implemented in activity or process of Food production, storage, transport and/or distribution.
- (3) The Food Sanitation as referred to section (2) must fulfill Food Safety standard requirements.

Article 71

- (1) Any Person involved in the Food chain is obligated to control Food risk, whether it is originated from materials, equipment, production facilities or from individuals so that Food Safety is guaranteed.
- (2) Any Person implementing activity or process of Food production, storage, transport and/or distribution is obligated:
 - a. to meet the Sanitation Requirements; and
 - b. to ensure the Food Safety and/or human safety.
- (3) Provisions regarding the Sanitation Requirements and Food Safety and/or human safety as referred to in section (2) are regulated in a Government Regulation.

Article 72

- (1) Any Person that violates the provisions as referred to Article 71 section (1) and section (2) is subject to administrative sanctions.

- (2) The administrative sanctions as referred to section (1) may be in the forms of:
 - a. fine;
 - b. temporary suspension from activity, production and/or distribution;
 - c. recall of Food from market by producer;
 - d. compensation; and/or
 - e. revocation of the license.
- (3) Further provisions regarding type of, amount of fine, procedure for, and mechanism of administrative sanctions as referred to in section (1) and section (2) are regulated in a Government Regulation.

Part Three

Control of Food Additives

Article 73

Food Additives are any substances added into Food to affect the characteristic and/or shape of Food.

Article 74

- (1) Government is responsible for examining the safety of materials with unknown impact on human health that are to be used as Food additives in Food Production before being distributed.
- (2) Examining the safety of Food Additives as referred to section (1) is conducted to obtain marketing authorization.

Article 75

- (1) Any Person carrying out Food Production to be distributed is prohibited from using:
 - a. Food additives that excess maximum limit; and/or
 - b. prohibited materials as Food additives.
- (2) Provisions regarding maximum limit and prohibited materials as referred to in section (1) are regulated by or under a Government Regulation.

Article 76

- (1) Any Person violating the provisions as referred to Article 75 section (1) is subject to administrative sanctions.
- (2) The administrative sanctions as referred to section (1) are in the forms of:
 - a. fine;
 - b. temporary suspension from activity, production and/or distribution;
 - c. recall of Food from distribution by producer;
 - d. compensation; and/or
 - e. revocation of license.
- (3) Further provisions regarding type, amount of fine, procedure for and mechanism of administrative sanctions as referred to section (1) and section (2) are regulated in a Government Regulation.

Part Four

Control of Genetically Engineered Food Products

Article 77

- (1) Any Person is prohibited from producing Genetically Engineered Food that has not obtained food safety approval before being distributed.
- (2) Any Person conducting Food Production activities or process is prohibited from using raw materials, Food additives and/or other materials produced from Genetically Engineered Food that has not obtained Food Safety approval before being distributed.
- (2) The Food Safety approval as referred to section (1) and section (2) is issued by the Government.
- (3) Provisions regarding procedures for obtaining Food Safety approval as referred to in section (3) are regulated in a Government Regulation.

Article 78

- (1) The Government establishes principles and requirements for research, development and utilization of Genetically

Engineered Food methods in activity or Food Production process, as well as establishes requirements for Food assessment that is produced from Genetically Engineered Food.

- (2) Provisions regarding principles and requirements for research, development and utilization of Genetically Engineered Food methods as referred to in section (1) are regulated in a Government Regulation.

Article 79

- (1) Any person violating the provisions as referred to in Article 77 section (1) and section (2) is subject to administrative sanctions.
- (2) The administrative sanctions as referred to section (1) are in the form of:
 - a. fine;
 - b. temporary suspension from activity, production and/or distribution;
 - c. recall of Food from distribution by producer;
 - d. compensation; and/or
 - e. revocation of license.
- (3) Further provisions regarding type, amount of fine, procedure for and mechanism of administrative sanctions as referred to section (1) and section (2) are regulated in a Government Regulation.

Part Five

Control of Food Irradiation

Article 80

- (1) Food Irradiation can be conducted using radioactive substances as well as accelerator.
- (2) Food Irradiation as referred to section (1) is conducted to prevent spoilage and decomposition, to eliminate foodborne pathogens, and to inhibit the germination of root crops.

Article 81

- (1) The Food Irradiation as referred to in Article 80 section (1) is conducted according to Government approval.
- (2) The Government approval as referred to in section (1) is issued after fulfilling:
 - a. health requirements;
 - b. processing principles;
 - c. doses;
 - d. techniques and equipment;
 - e. waste management and hazard mitigation of radioactive substances;
 - f. work safety; and
 - g. environmental conservation.
- (3) Provisions regarding the fulfillment of Government approval as referred to in section (2) are regulated in a Government Regulation.

Part Six

Food Packaging Standard

Article 82

- (1) Food Packaging aims at preventing spoilage and decomposition, protecting product from contamination and eliminating foodborne pathogens.
- (2) Any person producing packed food is obligated to use Food Packaging materials that do not endanger human health.

Article 83

- (1) Any person producing Food for distribution is prohibited from using any materials that can release hazardous substances that endanger human health as Food Packaging.
- (2) Food Packaging for distribution is conducted according to procedures that can avoid damage and/or contamination.
- (3) Provisions regarding Food Packaging, Food Packaging procedures, and prohibited Food Packaging material are regulated in Government Regulation.

Article 84

- (1) Any person is prohibited from opening final Food packaging to be repacked for trade.
- (2) Provisions of prohibition as referred to in section (1) are not applicable on Food that is commonly procured in a large quantity and commonly repacked in small quantities for further trading.

Article 85

- (1) Any person violating the provision as referred to Article 82 section (2), Article 83 section (1) and Article 84 section (1) is subject to administrative sanctions.
- (2) The administrative sanctions as referred to in section (1) are in the form of:
 - a. fine;
 - b. temporary suspension from activity, production and/or distribution;
 - c. recall of Food from distribution by producer;
 - d. compensation; and/or
 - e. revocation of license.
- (3) Further provisions regarding type, amount of fine, procedure for and mechanism of administrative sanctions as referred to in section (1) and section (2) are regulated in a Government Regulation.

Part Seven

Food Safety and Food Quality Assurance

Article 86

- (1) Government establishes Food Safety and Food Quality standards.
- (2) Any person producing and trading Food is obligated to comply with Food Safety and Food Quality standard.
- (3) The compliance with Food Safety and Food Quality Standard as referred to in section (2) is conducted by implementing Food Safety and Food Quality assurance system.

- (4) Government and/or certification bodies accredited by Government can issue Food Safety and Food Quality assurance certificate.
- (5) The issuance of certificate as referred to section (4) is conducted gradually according to Food type and/or business scale.
- (6) Provisions regarding Food Safety and Food Quality standard are regulated in a Government Regulation.

Article 87

- (1) Government can establish requirement for Food testing in laboratory before distribution.
- (2) Food testing as referred to in section (1) is conducted in laboratory that is appointed and/or accredited by the Government.
- (3) Provisions regarding requirements for laboratory testing are regulated in a Government Regulation.

Article 88

- (1) Farmers, Fishers, Fish Farmers and Food Businesses Operators in the Fresh Food sector must comply with Fresh Food Safety and Quality requirements.
- (2) The Government and Local Government are obligated to maintain, control, and facilitate the development of Fresh Food business in order to comply with the minimum technical requirements for Food Safety and Food Quality.
- (3) Technical requirements for Food Safety and Food Quality as referred to in section (2) are implemented gradually according to Fresh Food type as well as type and/or scale of business.
- (4) Further provisions regarding Food Safety and Food Quality requirements as referred to in section (1) are regulated by or under a Government Regulation.

Article 89

Any person is prohibited from trading Food that is not in accordance with Food Safety and Quality that is written on Food labeling.

Article 90

- (1) Any person is prohibited from distributing contaminated Food.
- (2) The contaminated Food as referred to in section (1) is Food that:
 - a. contains material that is poisonous, hazardous or can endanger human health or life;
 - b. contains contaminant that is exceeding established maximum limit;
 - c. contains material that is prohibited for use in activity or Food Production process;
 - d. contains dirt, spoiled, rancid, decomposed material or contains material for sick animal or plant or originating from carcass;
 - e. is produced in a prohibited manner; and/or
 - f. has expired.

Article 91

- (1) In the event of safety, quality and Nutrition control, every Processed Food that is produced domestically or imported for trade in retail packaging, Food Business Operators are obligated to have a marketing authorization.
- (2) The obligation to obtain marketing authorization as referred to in section (1) is exempted for certain Processed Food that is produced by household industry.
- (3) Provisions regarding the obligation to obtain marketing authorization as referred to in section (1) and section (2) are implemented in accordance with the provisions of legislation.

Article 92

- (1) The Government and/or Local Government control and prevent periodically contamination level of Food.
- (2) The control and prevention as referred to in section (1) are conducted in accordance with the provisions of legislation.

Article 93

Any person importing Food for trade is obligated to comply with Food Quality and Safety standard.

Article 94

- (1) Any person violating the provisions as referred to Article 86 section (2) regarding compliance with food quality standard, Article 89 regarding Food Labeling, Article 90 section (1) regarding contaminated food, and Article 93 regarding food import is subject to administrative sanctions.
- (2) The administrative sanctions as referred to section (1) are in the form of:
 - a. fine;
 - b. temporary suspension from activity, production and/or distribution;
 - c. recall of Food from distribution by producer;
 - d. compensation; and/or
 - e. revocation of license.
- (3) Further provisions regarding type, amount of fine, procedure for and mechanism of administrative sanctions as referred to in section (1) and section (2) are regulated in Government Regulation.

Part Eight

Halal Product Guarantee for Those Required

Article 95

- (1) The Government and Local Governments control halal product guarantee system for Food that is required.
- (2) The halal product guarantee system for those required as referred to section (1) is implemented in accordance with the provisions of legislation.

CHAPTER VIII
FOOD LABEL AND ADVERTISEMENT

Part One
Food Label

Article 96

- (1) Assignment of Food label aims to provide information that is clear and correct for the public about every Food product that is packed before Food is purchased and/or consumed.
- (2) Information as referred to in section (1) is related to the origin, safety, quality, Nutrition value and other necessary information.

Article 97

- (1) Any person producing Food domestically for trade is obligated to attach label inside and/or on Food Packaging.
- (2) Any person importing food for trade is obligated to attach label inside and/or on Food Packaging during importation into the territory of the Republic of Indonesia.
- (3) Attachment of label inside and/or on Food Packaging as referred to in section (1) and section (2) written or printed by using Indonesian language as well as containing at least information concerning:
 - a. product name;
 - b. list of ingredients;
 - c. net weight or content;
 - d. name and address of producer or importer;
 - e. halal for those required;
 - f. date and production code;
 - g. expiry date, month and year;
 - h. marketing authorization number for Processed Food;
and
 - i. origin of certain Food.

- (4) Information on label as referred to in section (3) is written, printed or shown explicitly and clearly so that it is easily understood by the public.

Article 98

- (1) Provisions regarding label are applicable for Food that has gone through final packaging process and ready to be traded.
- (2) Provisions regarding label are not applicable for Food Trade wrapped in front of consumers.
- (3) The Government and Local Government mentor for small and micro businesses so that they are gradually able to implement provisions regarding label as referred to in section (1).

Article 99

Any person is prohibited from erasing, retracting, covering, changing label, relabeling and/or exchanging expiry date, month and year on distributed Food.

Article 100

- (1) Any Food label for trade must contain information regarding Food that is correct and not misleading.
- (2) Any person is prohibited from providing information and statement that is false and/or misleading on label.

Article 101

- (1) Any person stating on the label that the Food for trade is halal according to the requirement is responsible for its truth.
- (2) Any person stating claim on the food label for trade is responsible for the truth of that claim.
- (3) Label concerning certain processed Food for trade is obligated to contain information concerning allocation, application method and/or other information that needs to be known regarding the Food effect on human's health.

Article 102

- (1) Any person violating the provisions as referred to in Article 97 section (1), Article 99 and Article 100 section (2) is subject to administrative sanctions.
- (2) Any person violating provision as referred to in Article 97 section (2) is obligated to re-export or destroy the imported Food.
- (3) The administrative sanctions as referred to in section (1) are in the form of:
 - a. fine;
 - b. temporary suspension from activity, production and/or distribution;
 - c. recall of Food from distribution by producer;
 - d. compensation; and/or
 - e. revocation of license.
- (4) Further provisions regarding type, amount of fine, procedure for and mechanism of administrative sanctions as referred to in section (1) and section (3) are regulated in a Government Regulation.

Article 103

Further provisions regarding Food label as referred to in Article 96 to Article 101 are regulated by or under a Government Regulation.

Part Two

Food Advertisement

Article 104

- (1) Any food advertisement must contain information or statement regarding Food that is correct and not misleading.
- (2) Any person is prohibited from including information or statement that is incorrect or misleading in food advertisement.
- (3) The Government regulates, controls and performs necessary actions so that food advertisements do not

contain information or statement that is incorrect or misleading.

Article 105

- (1) Any person stating in the advertisement that the Food for trade is halal according to the requirements, must be responsible for its truth.
- (2) Any person stating claim on the advertisement for trade is obligated to be responsible for the truth of that claim.

Article 106

- (1) Any person violating the provisions as referred to in Article 104 section (2) and Article 105 is subject to administrative sanctions.
- (2) The administrative sanctions as referred to section (1) are in the form of:
 - a. fine;
 - b. temporary suspension from activity, production and/or distribution;
 - c. recall of Food from distribution by producer;
 - d. compensation; and/or
 - e. revocation of license.
- (3) Further provisions regarding type, amount of fine, procedure for and mechanism of administrative sanctions as referred to in section (1) and section (2) are regulated in a Government Regulation.

Article 107

Further provisions regarding Food advertisement as referred to in Article 104 to Article 105 are regulated in a Government Regulation.

CHAPTER IX
CONTROL

Article 108

- (1) In performing Food Organization, the Government has the authority to control.

- (2) The control as referred to in section (1) is conducted towards the fulfillment of:
 - a. availability and/or sufficiency of Staple Food that is safe, nutritious and affordable by the public purchasing power;
 - b. requirements for Food Safety, Quality and Nutrition; and requirements for Food label and advertisement.
- (3) The control on:
 - a. availability and/or sufficiency of Staple Food as referred to in section (2) point a is conducted by Government institution administering government affairs in the Food sector;
 - b. requirements for Food Safety, Quality and Nutrition, as well as requirements for Food label and advertisement as referred to in section (2) point b, for Processed Food, are performed by Government institution conducting government duty in the field of drug and food control; and
 - c. requirements for Food Safety, Quality and Nutrition, as well as requirements for Food label and advertisement as referred to in section (2) point b, for Fresh Food, are performed by Government institution administering government affairs in the Food sector.
- (4) The Government organizes monitoring, evaluating and controlling program periodically for production process or activity, storage, transport and/or Food Distribution by Food Businesses Operators.

Article 109

The government institution as referred to in Article 108 section (3) conducts inspection according to the affairs and/or duties as well as authority, of each appointed inspector.

Article 110

- (1) The inspector as referred to in Article 109 has the authority to:

- a. enter any suspected place for production process or activity, storage, transport and Food Trade to examine, inspect and take Food sample and everything else suspected for production activity, storage, transport and/or Food Trade;
 - b. stop, examine and prevent each vehicle suspected or ought to be suspected for Food transport as well as taking and examining Food sample;
 - c. open and inspect Food Packaging;
 - d. examine every book, document or other records suspected to contain information regarding production, storage, transport and/or Food Trade, including copying and citing that information; and
 - e. order to show business license or other similar documents.
- (2) The inspector in performing the duty as referred to in section (1) is obligated to have an assignment letter of control and/or inspection as well as identification card.

Article 111

In the event that the inspector's examination result shows preliminary evidence that a criminal offense has occurred in the Food sector, investigation immediately is performed by authorized investigator in accordance with the provisions of legislation.

Article 112

Further provisions regarding control as referred to in Article 108 to Article 110 are regulated in a Government Regulation.

CHAPTER X

FOOD INFORMATION SYSTEM

Article 113

Food information system includes collecting, processing, analyzing, storing and presenting as well as spreading data and information concerning Food.

Article 114

- (1) The Government and Local Government are responsible for constructing, compiling and developing integrated Food information system.
- (2) The information system as referred to section (1) is at least used for:
 - a. planning;
 - b. monitoring and evaluation;
 - c. stabilizing Food price and supply; and
 - d. early warning system towards Food Problem as well as food and nutrition insecurity.
- (3) The Government and Local Government according to their respective authority are responsible for announcing price of Food commodity.
- (4) Further provisions regarding announcement of Food commodity price are regulated in Regulation of the minister administering government affairs in trade sector.

Article 115

- (1) Food information system as referred to in Article 114 section (1) is organized by Food information and data center.
- (2) Food information and data center is required to perform updated data and information.
- (3) Food information and data center provide data and information at least regarding:
 - a. types of Food product;
 - b. Food balance sheet;
 - c. Food Production location, area and region;
 - d. market demand;
 - e. market opportunity and challenges;
 - f. production;
 - g. price;
 - h. consumption;
 - i. Nutritional status;
 - j. export and import;
 - k. supply estimation;

- l. estimation of planting and harvesting season;
 - m. climate forecasts;
 - n. Food technology; and
 - o. Food necessity for every region.
- (4) The data and information as referred to in section (3) can be accessed easily and quickly by the public, except those concerning the interest of the state in accordance with the provisions of legislation.

Article 116

Further provisions regarding Food information as referred to Article 113 to Article 115 are regulated in a Government Regulation.

CHAPTER XI

FOOD RESEARCH AND DEVELOPMENT

Article 117

Food research and development are performed to improve Food science and technology and become as a basis data for formulating Food policy that enhances Food Sovereignty, Food Self-Sufficiency and Food Security.

Article 118

- (1) The Food research and development as referred to in Article 117 is directed to ensure the provision, storage, processing and distribution of Food to obtain Food material that is wholesome and safe for public consumption.
- (2) Food research and development as referred to in section (1) is performed by:
 - a. creating Food product that is competitive at local, national and international level;
 - b. accelerating breeding and assembly to produce superior varied food source from plant, livestock and fish that are tolerant towards biotic and abiotic stress, resistant towards plant invading organism or

outbreak of animal and fish diseases, and adaptive towards climate changes;

- c. engineering technological innovation and institutional culture system for plant, livestock and fish as Food source that can improve productivity, efficiency and competitiveness as well as preserving biological diversity;
- d. engineering technological innovation and post-harvest, processing and marketing institution for the development of Processed Food product based on Local Food, increasing added value, development of Food business and enrichment of Food nutrient content that is safe for consumption;
- e. creating Local Food product that can be substituted for Staple Food with respect to suitability of vitamin content and other substance within;
- f. optimizing the utilization of land, water, climate and genetic resources in maintaining and increasing capacity of national plant and animal Food Production; and
- g. producing recommendation policy for Food development.

Article 119

- (1) The Government is obligated to perform Food research and development as referred to in Article 117 and Article 118 continuously.
- (2) The Government encourages and synergizes Food research and development activity performed by Local Government, educational institution, research institution, Food Business Operators and the public.

Article 120

The Food research and development as referred to in Article 119 can be performed independently and/or through cooperation with international research institutions, managed by the Government as well as private sectors.

Article 121

The Government and/or Local Government are responsible for facilitating publication, deployment, utilization and implementation of result from Food research.

Article 122

International cooperation for Local Food development may be performed if initiated by domestic institution with approval from Minister in charge of research.

Article 123

- (1) Any foreigner may conduct research for his or her benefits in the territory of the Republic of Indonesia.
- (2) In conducting research as referred to in section (1), any foreigner is obligated to implement provisions of the legislation.
- (3) In the event that research as referred to in section (2) uses domestic biological material for commercial purposes, any foreigner is obligated to give royalty to the Government in accordance with the provisions of the legislation.

Article 124

Government facilitates and protects intellectual property rights of Food research and development result as well as featured Local Food according to provisions of the legislation

Article 125

The Government and/or Local Government grant reward and/or incentive for researcher and/or Food research that is capable to generate featured technology that is beneficial for the public in realizing Food Sovereignty, Food Self-Sufficiency and Food Security.

CHAPTER XII
FOOD INSTITUTION

Article 126

In realizing national Food Sovereignty, Food Self- sufficiency and Food Security, a Government institution is formed to handle the food sector that is under and responsible to the President.

Article 127

The Government institution as referred to in Article 126 administers government affairs in the Food sector.

Article 128

Government institution as referred to in Article 127 can propose to the President to give special assignment to state-owned enterprise in the Food sector to carry out production, procurement, storing and/or distribution of Staple Food and other Food that has been determined by the Government.

Article 129

Further provisions regarding organization and work procedures of Government institution as referred to in Article 126 to Article 128 are regulated by a Presidential Regulation

CHAPTER XIII
PUBLIC PARTICIPATION

Article 130

- (1) The public can participate in realizing Food Sovereignty, Food Self-Sufficiency and Food Security.
- (2) Public participation as referred to in section (1) is performed in:
 - a. implementing production, distribution, trade and consumption of food;
 - b. organizing Community Food Reserve;
 - c. preventing and mitigating Food and nutrition insecurity;

- d. delivering information and knowledge of Food and Nutrition;
 - e. Supervising the smooth implementation of Food Availability, Food Affordability, Food Diversity, and Food Safety; and/or
 - f. improving Food Self-Sufficiency of household
- (3) The Government and/or Local Government encourage public participation as referred to section (1).

Article 131

- (1) Public may address their problems, suggestions and/or solution of Food Issue to the Government and/or Local Government.
- (2) Provisions regarding procedures in addressing problems, suggestions and/or solutions of Food Issue as referred to in section (1) are regulated in a Government Regulation.

CHAPTER XIV INVESTIGATION

Article 132

- (1) In addition to police officers of the Republic of Indonesia, certain civil servant investigators with scope of their duties and responsibilities in the Food sector have been given special authority as investigator to investigate criminal offense in the Food sector in accordance with the provisions of legislation in the field of Criminal Procedural Law.
- (2) The civil servant investigators as referred to in section (1) have the authority to:
 - a. verify the truth of a report or information pertaining to criminal offense in the Food sector;
 - b. summon individuals for hearing and examination as suspect or witness of criminal offense in the Food sector;
 - c. perform search and seizure of evidence of criminal offense in the Food sector;

- d. inquire for information and evidence from individual or corporation relating to criminal offense in the Food sector;
 - e. prepare and sign official report;
 - f. cease investigation if there are not enough evidence of criminal offense in the Food sector; and
 - g. request expert assistance in performing investigation of criminal offense in the Food sector.
- (3) The civil servant investigators as referred to in section (1) notifies the beginning of investigation to police investigator of the Republic of Indonesia
- (4) If exercising the authority as referred to in section (2) requires act of arrest and detention, civil servant investigator performs coordination with police investigator of the Republic of Indonesia in accordance with of provisions of the legislation.
- (5) The civil servant investigator as referred to in section (1) submits the results of the investigation to the public prosecutor through police investigator of the Republic of Indonesia.
- (6) Appointment of civil servant investigator and procedure as well as investigation process is performed in accordance with the provisions of legislation.

CHAPTER XV CRIMINAL PROVISIONS

Article 133

Food Business Operators that intentionally hoard or store exceeding maximum quantity as referred to in Article 53 with intent of obtaining profit that cause Staple Food price to be expensive and soared, are subject to imprisonment for a maximum of 7 (seven) years or fine of up to Rp100,000,000,000.00 (one hundred billion rupiah).

Article 134

Any person performing certain Process Food Production for trade, that intentionally does not implement Food processing procedure and that inhibit the decline or lost Nutritional value of the Food raw materials as referred to in Article 64 section (1) is subject to imprisonment for a maximum of 1 (one) year or fine of up to Rp2,000,000,000.00 (two billion rupiah).

Article 135

Any person that organizes production process or activity, storage, transport and/or distribution of Food that does not comply with Food Sanitation Requirements as referred to in Article 71 section (2) is subject to imprisonment for a maximum of 2 (two) years or fine of up to Rp4,000,000,000.00 (four billion rupiah).

Article 136

Any person performing Food Production for trade that intentionally uses:

- a. Food additives exceeding established maximum limit; or
 - b. prohibited material as Food additives
- as referred to in Article 75 section (1) is subject to imprisonment for a maximum of 5 (five) years or fine of up to Rp10,000,000,000.00 (ten billion rupiah).

Article 137

- (1) Any person producing Food from genetically engineered Food that has not obtain Food Safety approval before being distributed, as referred to in Article 77 section (1) is subject to imprisonment for a maximum of 5 (five) years or fine of up to Rp10,000,000,000.00 (ten billion rupiah).
- (2) Any person conducting Food Production process or activity by using raw materials, Food additives and/or other material Food from genetically engineered Food that has not obtain Food Safety approval before being distributed, as referred to in Article 77 section (2) is subject to imprisonment for a maximum of 5 (five) years or fine of up to Rp10,000,000,000.00 (ten billion rupiah).

Article 138

Any person performing Food Production for distribution that intentionally uses any materials as Food Packaging that can release contamination that can endanger human health as referred to Article 83 section (1) is subject to imprisonment for a maximum of 2 (two) years or fine of up to Rp4,000,000,000.00 (four billion rupiah).

Article 139

Any person that intentionally opens the final packaging of Food to be repackaged and traded as referred to in Article 84 section (1) is subject to imprisonment for a maximum of 5 (five) years or fine of up to Rp10,000,000,000.00 (ten billion rupiah).

Article 140

Any person that produces and trades Food that intentionally does not comply with Food safety standard as referred to in Article 86 section (2) is subject to imprisonment for a maximum of 2 (two) years or fine of up to Rp4,000,000,000.00 (four billion rupiah).

Article 141

Any person that intentionally trades Food that does not comply with Food Safety and Quality listed on the Food Packaging label as referred to in Article 89 is subject to imprisonment for a maximum of 2 (two) years or fine of up to Rp4,000,000,000.00 (four billion rupiah).

Article 142

Food Business operator that intentionally produces, imports or distributes Food product that does not have marketing authorization as referred to in Article 91 section (1) is subject to imprisonment for a maximum of 2 (two) years or fine of up to Rp4,000,000,000,00.00 (four billion rupiah).

Article 143

Any person that intentionally erases, removes, covers, replaces the label, re-labels and/or exchanges expiry date, month and year of distributed Food as referred to in Article 99 is subject to imprisonment for a maximum of 2 (two) years or fine of up to Rp4,000,000,000.00 (four billion rupiah).

Article 144

Any person that intentionally provides false information or statement or misleading on the label as referred to in Article 100 section (2) is subject to imprisonment for a maximum of 3 (three) years or fine of up to Rp6,000,000,000.00 (six billion rupiah).

Article 145

Any person that intentionally provides false or misleading information or statement of Food for trade through advertisement as referred to in Article 104 section (2) is subject to imprisonment for a maximum of 3 (three) years or fine of up to Rp6,000,000,000.00 (six billion rupiah).

Article 146

- (1) If the acts as referred to Article 137, Article 138, Article 142, Article 143, and Article 145 resulting:
 - a. serious injury or endanger the lives of people, the perpetrator is subject to imprisonment for a maximum of 5 (five) years or fine of up to Rp10,000,000,000.00 (ten billion rupiah).
 - b. death of a person, the perpetrator is subject to imprisonment for a maximum of 10 (ten) years or fine of up to Rp20,000,000,000.00 (twenty billion rupiah).
- (2) If the acts as referred to in Article 138 resulting:
 - a. serious injury or endanger the lives of people, the perpetrator is subject to imprisonment for a maximum of 7 (seven) years or fine of up to Rp14,000,000,000.00 (fourteen billion rupiah).

- b. death of a person, the perpetrator is subject to imprisonment for a maximum of 10 (ten) years or fine of up to Rp20,000,000,000.00 (twenty billion rupiah).

Article 147

Any official or state official committing or assisting criminal offense as referred to in Article 133 to Article 145 is subject to additional of 1/3 (one-third) of each criminal penalty.

Article 148

- (1) In the event of acts as referred to Article 133 to Article 145 is committed by corporation, other than imprisonment and fine of its managers, punishment can be imposed towards the corporation in the form of fine by weighting 3 (three) times than fine towards an individual.
- (2) In addition to the fine as referred to in section (1), corporation can also be subject to additional punishment in the form of:
 - a. revocation of certain rights; or
 - b. announcement of judge's verdict.

CHAPTER XVI

TRANSITIONAL PROVISION

Article 149

At the time this Law comes into force, the Government institution that handles Food sector which already existed when this Law comes into force continues to perform its duties until the Government institution that handles Food sector under this Law is established.

CHAPTER XVII
CLOSING PROVISIONS

Article 150

Implementing regulations of this Law must be issued not later than 3 (three) years as of the promulgation of this Law.

Article 151

The Government institution that handles Food sector as referred to in Article 129 must be established not later than 3 (three) years as of the promulgation of this Law.

Article 152

At the time this Law comes into force, all the provisions of legislation on Food, remain to be effective insofar as they are not replaced or do not conflict with the provisions of this Law.

Article 153

At the time this Law comes into force, Law Number 7 of 1996 on Food (State Gazette of the Republic of Indonesia Number 99 of 1996, Supplement to State Gazette of the Republic of Indonesia Number 3656) is repealed and declared ineffective.

Article 154

This Law comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Law by its placement in the State Gazette of the Republic of Indonesia.

Enacted in Jakarta
on 16 November 2012

PRESIDENT OF THE REPUBLIC OF INDONESIA,

signed

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta
on 17 November 2012

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

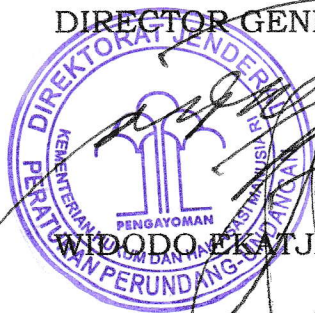
AMIR SYAMSUDDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2012 NUMBER 227

Jakarta, 12 January 2021

Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,



WIDODO EKATJAHJANA